

*BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2021*

*Issued: June 24, 2021
Work Session: June 29, 2021
Legislative Day No. 12: July 6, 2021*

*The accompanying notes are
compiled from unaudited
information provided by
the Administration and
other sources.*



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

July 6, 2021

NOTES TO THE AGENDA

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**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2021, LEGISLATIVE DAY NO. 12
July 6, 2021 6:00 P.M.**

CEB = CURRENT EXPENSE BUDGET
BY REQ. = AT REQUEST OF COUNTY EXECUTIVE

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CALL OF BILLS FOR FINAL READING AND VOTE

COUNCIL

1 Bill 52-21 – Mr. Crandell – Permits, Approvals and Inspections – Gathering Permits

D’ANDREA WALKER, ACTING DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION

3 Bill 55-21 – Mr. Jones(By Req.) – Capital Budget – Bikeways & Pedestrian Access

LAURA RILEY, DIRECTOR, DEPARTMENT OF AGING

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COUNCIL

9 Bill 58-21 – Councilmembers Marks, Bevins & Jones – Planned Unit Developments

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Golf and Country Clubs in the R.C. 4 Zone

APPROVAL OF FISCAL MATTERS/CONTRACTS

GAIL WATTS, DIRECTOR, DEPARTMENT OF CORRECTIONS

17 1. Amendment to Contract – Aramark Correctional Services – Food services – County Detention Center – DOC

JOANNE RUND, CHIEF, FIRE DEPARTMENT

* 2. Contract – Industrial/Organizational Solutions, Inc. – Independent-3rd party testing services-BCFD

ED BLADES, DIRECTOR, OFFICE OF BUDGET AND FINANCE

21 3. Amendment to Contract – PNC Bank, National Association-Corporate purchasing card services – OBF

LAWRENCE RICHARDSON, DEPUTY DIRECTOR, F&A, DEPARTMENT HEALTH & HUMAN SERVICES

WITHDRAWN 4. Memorandum of Agreement – Northwest Hospital (LifeBridge Health) – Clinical support – COVID 19
vaccinations – HHS

D’ANDREA WALKER, ACTING DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION

* 5. Contract – Dillon’s Bus Service, Inc. – Circulator bus services-Towson- DPW

25 6. Contract – Mobile Dredging & Video Pipe, Inc. – On-call sanitary sewer/stormwater inspection/cleaning – DPW

PETE GUTWALD, DIRECTOR, DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS

29 7. Contracts – (3) – Review of Landscaping/Lighting Plans – Baltimore Co. Landscape Manual – PAI

THOMAS JOSEPH, DEPUTY DIRECTOR, DEPARTMENT OF AGING

33 8. Contracts – (3) – Assisted living care services – AGING

* Addendum

APPROVAL OF FISCAL MATTERS/CONTRACTS (cont.)

AMY GROSSI, CHIEF, REAL ESTATE COMPLIANCE

- 37 9. Contract of Sale – Prime Storage North Point Blvd. Baltimore Residential, LLC – North Point Blvd.-REC

DEBRA SHINDLE, PROPERTY MANAGEMENT

- 40 10. Contract – E. J. Herring & Son, Inc. – HVAC Maintenance/Repair – Computer Environments-PM

JAMES BENJAMIN, COUNTY ATTORNEY, OFFICE OF LAW

- 44 11. Contract – Industrial Organizational Solutions, Inc. – Consulting Services-New Selection Device-BCPD-LAW
48 12. Amendment to Contract – Class Action Administration d/b/a JND Legal Administration-Claims Admin. Services

MISCELLANEOUS BUSINESS

COUNCIL

- 63 1. Correspondence - (a) (11) - Non-Competitive Awards (May 13, 2021)

PETE GUTWALD, DIRECTOR, DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS

- 52 2. Res. 86-21 – Mr. Jones(By Req.) – Amend Local Open Space Waiver Fees

LEONARD HOWIE, DIRECTOR, DEPARTMENT OF ECONOMIC & WORKFORCE DEVELOPMENT

- 54 3. Res. 87-21 – Mr. Jones(By Req.) - Economic Development Revenue Bond – McDonogh School, Inc.

JAMES BENJAMIN, COUNTY ATTORNEY, OFFICE OF LAW

- ~~WITHDRAWN 4. Res. 88-21 – Mr. Jones(By Req.) – Approval-Continuation of a State of Emergency-Executive Order No. 2020-002~~

LEONARD HOWIE, DIRECTOR, DEPARTMENT OF ECONOMIC & WORKFORCE DEVELOPMENT

- 58 5. Grants – FY2022 Arts and Sciences Grants

COUNCIL

6. Res. 89-21 – Mr. Marks – Property Tax Exemption – DAV – Evelyn Renee Simmons
7. Appointment – Mr. Jones(By Req.) – Director – Department of Housing & Community Development – Terry Hickey

Bill 52-21

Council District(s) All

Mr. Crandell

Permits, Approvals and Inspections – Gathering Permits

Bill 52-21 would amend the Gatherings and Events Title in the County Code, which was previously amended in Bill 97-20.

The Council considered Bill 97-20 last year, which amended and updated several provisions regarding public events, parades, and carnivals. The bill also set forth new requirements for a parade permit application and for a parade permit holder.

Bill 52-21 revises Bill 97-20, which according to testimony on the bill when it was under consideration, sought primarily to cover potentially problematic parades and carnivals that might necessitate significant County resources, especially public safety resources; however, Bill 97-20 also covers all “events” for which a permit from Permits, Approvals and Inspections (PAI) is required.

The bill’s sponsor is concerned about one aspect of Bill 97-20 related to the time frame in which PAI must receive a permit application for an event, changing the submission deadline and review period by requiring an applicant to submit an application for a permit “at least 60 calendar days, but not more than one year, before the event.” Bill 97-20 defined an “event” as “an event for which a permit is required under this subtitle” including a parade. Hence, the term “event” would include virtually every gathering for which PAI requires a permit. The County is required to grant or deny the application at least 14 days before the date on which the event is proposed to be scheduled.

The bill’s sponsor also believes that Bill 97-20 – including the application deadline provision – was mostly an effort to address potentially problematic events and to provide PAI and the other agencies (particularly the Police Department) enough time to review security plans. But the 60-day application submission deadline applies to all permit requests, which might be cumbersome for the more routine matters or situations where organizations have not planned that far in advance.

To address this issue, Bill 52-21 changes the application submission time frame for the less complicated, more routine gathering events to 14 days, which apparently had been PAI's practice for these types of events prior to Bill 97-20.

At the request of the bill's sponsor, the Council voted on June 7 to defer the final vote on Bill 52-21 until the legislative session on July 6.

With the affirmative vote of five members of the County Council, Bill 52-21 shall take effect July 21, 2021.

Bill 55-21 (Supplemental Appropriation)**Council District(s) 1****Mr. Jones (By Req.)****Department of Public Works and Transportation****Bikeways and Pedestrian Access**

The Administration is requesting a supplemental appropriation of State funds totaling \$480,331 to the Bikeways and Pedestrian Access “bulk” capital project. The funds will be used for the construction of an at-grade (level) crossing of Bloomsbury Avenue for the Short Line Trail in Catonsville. See Exhibit A.

Fiscal Summary

Capital Project	Supplemental Appropriation⁽¹⁾	Current Unobligated Appropriation⁽²⁾	Total Appropriation
<u>Streets and Highways:</u>			
Bikeways and Pedestrian Access	\$ 480,331	\$ 1,960,928	\$ 2,441,259

⁽¹⁾ Maryland Department of Transportation (MDOT), Kim Lamphier Bikeways Network Program funds. The County is required to provide a \$120,083 cash match, or 20% of the construction project cost, which will be met through funds appropriated to the Bikeways and Pedestrian Access “bulk” capital project.

⁽²⁾ Includes \$60,928 as reflected in the County's financial system as of June 2, 2021 and an additional \$1.9 million appropriated for FY 2022.

Analysis

The proposed \$480,331 supplemental appropriation will be used for the construction of an at-grade crossing of Bloomsbury Avenue for the Short Line Trail in Catonsville. The Department advised that the project will provide a critical link between the eastern and western sections of the Short Line Trail, which will offer residents an off-road means to access key destinations and become part of the growing network of trails and on-road bicycle facilities in Catonsville. The Department further advised that the County is responsible for the design and construction of the crossing and will assume all maintenance and operating costs upon completion, which are estimated to total \$1,500 annually. The Department advised that design is 95% complete and in

the final stages of the County review process; construction is expected to begin in spring 2022 and take approximately 5 months to complete.

The term of the grant agreement is from the date of execution to December 31, 2023. The total estimated cost of construction is \$600,413. The County is required to provide a \$120,083 cash match, or 20% of the construction project cost, which will be met through funds appropriated to the Bikeways and Pedestrian Access “bulk” capital project. The Department advised that the estimated cost for all phases of this project (e.g., design, construction drawings, forest conservation work, and construction) totals \$712,573; the County previously received grant funds totaling \$96,000 for the project.

With the affirmative vote of five members of the County Council, Bill 55-21 will take effect July 19, 2021.

Executive Summary

Grant Agreement between Baltimore County and MDOT Bloomsbury Crossing – Construction Grant

This grant agreement is to fund construction of an at-grade crossing of Bloomsbury Avenue for the Short Line Trail. This is the next phase of a previously awarded FY2019 MD Bikeways grant application for final construction drawings of an at-grade crossing of Bloomsbury Avenue for the Short Line Trail. The grant award is for \$480,330.40, with Baltimore County committing \$120,082.60 for matching funds. The term of the grant agreement is from the date of execution to December 31, 2023.

Prepared By: Department of Public Works and Transportation

Bill 56-21 (Supplemental Appropriation)**Council District(s) All****Mr. Jones (By Req.)****Department of Aging****Aging and Disability Resource Center**

The Administration is requesting a supplemental appropriation of federal funds totaling \$100,000 to the Aging and Disability Resource Center Gifts and Grants Fund program. The program, also known as Maryland Access Point, provides information and assistance to Baltimore County adults over the age of 60, disabled individuals over the age of 18, and their families and caregivers. The funds will be used to provide counseling resources, outreach services and materials, staff training, and new screening processes. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	FY 2021 Appropriation	Total Appropriation
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 100,000	\$ 373,278	\$ 473,278
Other	--	--	--
Total	<u>\$ 100,000</u>	<u>\$ 373,278</u>	<u>\$ 473,278</u>

⁽¹⁾ U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services funds passed through the Maryland Department of Health and the Maryland Department of Aging. No County matching funds are required.

Analysis

The purpose of the Aging and Disability Resource Center (ADRC and also known as Maryland Access Point) is to provide information and assistance to Baltimore County adults over the age of 60, disabled individuals over the age of 18, and their families and caregivers to encourage and

enable the elderly and disabled to remain independent and living in the community, regardless of income. The ADRC serves as the point of entry to all of the Department's programs and services. Services include providing information on health care resources and financial assistance options; face-to-face assistance to consumers and caregivers throughout the County; a "speaker bureau" to market the Department's programs and resources; and various print resource materials. The Department advised that the ADRC has provided approximately 80,000 units of information to clients via phone or in-person throughout the year.

The Department advised that the proposed \$100,000 reflects its share of reimbursement for providing counseling and advising to Medicaid-eligible County residents. The proposed \$100,000 will be used for professional services (e.g., contractors due to uncertainty of employee availability) (\$85,000), program materials (\$10,000), and staff training (\$5,000), and will provide for additional counseling resources, outreach services and materials, staff training, and new screening processes.

The grant period is July 1, 2020 through June 30, 2022. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 56-21 will take effect July 21, 2021.

Executive Summary

Supplemental Appropriation Aging and Disability Resource Center

The Aging and Disability Resource Center (ADRC) is funded by the Maryland Department of Aging to provide information, referral and options counseling to Baltimore County seniors and individuals with disabilities. The current FY2021 appropriation is \$373,278. Under the revised system of allocating Federal Medicaid dollars, the Baltimore County Department of Aging (BCDA) has the opportunity to receive additional funding of up to \$100,000 by the Maryland Department of Health, through a partnership with Maryland Department of Aging. These added funds will be used for additional counseling resources, outreach services and materials, staff training, and the implementation of new screening processes.

The ADRC (also known as Maryland Access Point) serves as the point of entry to all BCDA programs and services. Certified Information & Referral Specialists (CIRS) assess callers' needs and provide a wide range of information from health care resources to financial assistance options. Based in Towson, the office serves all of Baltimore County. Maryland Access Point registers about 80,000 client connections a year from the public providing assistance by phone and face-to-face with consumers and caregivers. The program also provides a wealth of print resource materials.

Prepared by: Department of Aging

Bill 58-21**Council District(s) All**

Councilmembers Marks, Bevins & Jones

Planned Unit Developments

Bill 58-21 clarifies the intent of the Council's authority in the Planned Unit Development (PUD) process and updates certain cross section references.

The Baltimore County Zoning Regulations, Section 430, contains regulations related to permitted uses and densities for PUDs. The regulations set forth certain residential and non-residential uses permitted in certain zones. The regulations also set forth the calculation of residential density based on a proposed PUD's underlying zone. The regulations also state that the density calculations are subject to the provisions of Baltimore County Code, Section 32-4-242(c).

However, in 2011, with the enactment of Bill 36-11, subsection (c) was amended such that it currently governs the post-submission community meeting. Prior to Bill 36-11, subsection (c) governed the Council's authority to modify or amend the uses or densities in a PUD. Bill 36-11 moved the contents of subsection (c) to the current subsection (d), but did not amend the corresponding cross references in the Zoning Regulations or the Code, which Bill 58-21 now updates.

The intent and effect of Bill 58-21 is to reaffirm (and to the extent that it was in question, restore) the policy objective of the PUD law, which is to give the Council the initial "gatekeeper" authority on uses and densities permitted, as long as the PUD generally conforms to the Master Plan or Area Plans and is within the Urban-Rural Demarcation Line (URDL). Notwithstanding the PUD use regulations and the density calculations set forth in the Zoning Regulations, it is the modification and amendment of uses and densities as set forth by the Councilmember in the resolution that should control.

With the affirmative vote of at least five members of the County Council, Bill 58-21 shall take effect July 21, 2021.

Bill 59-21**Council District(s) 5**

Mr. Marks

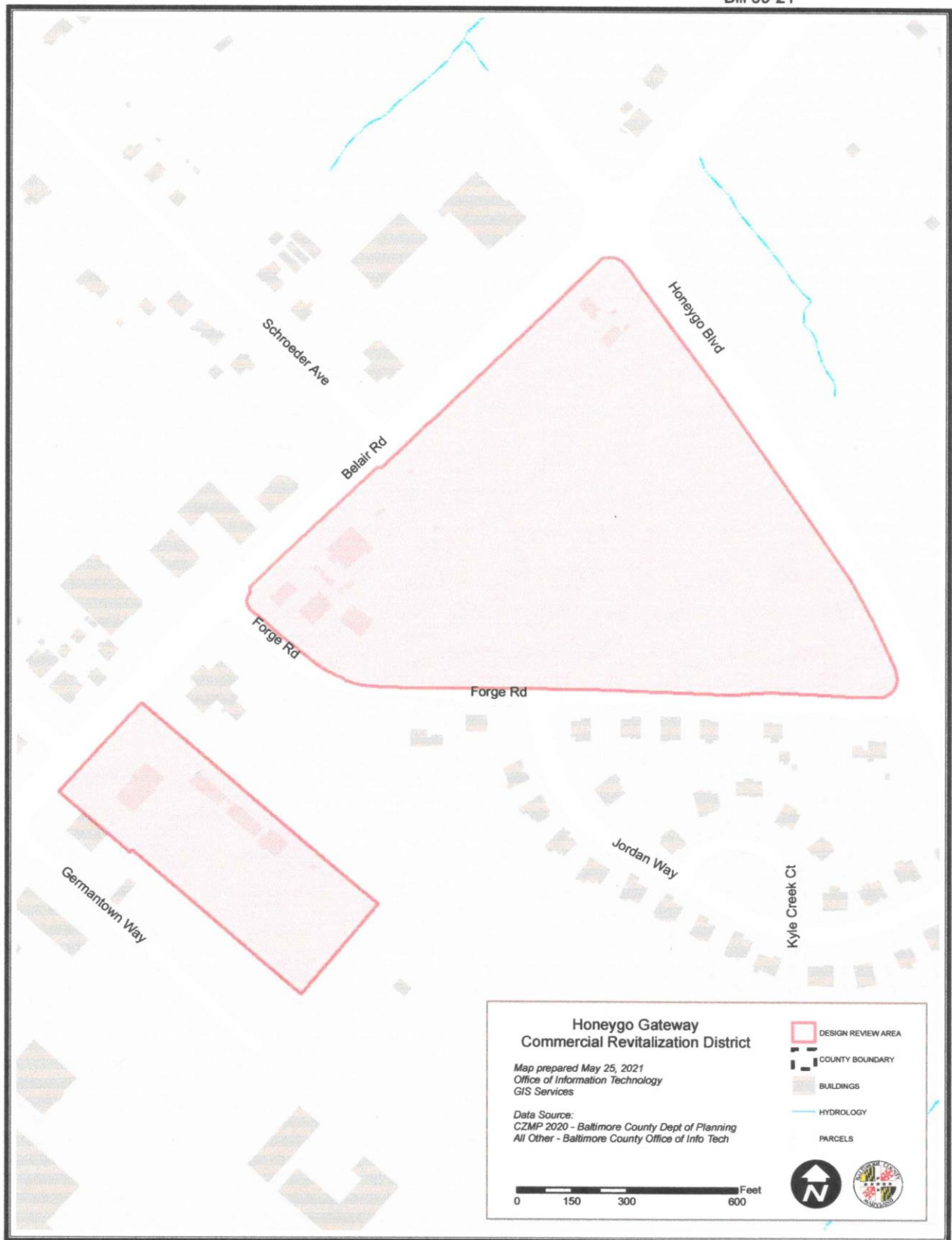
Design Review Areas

Bill 59-21 requires the Baltimore County Design Review Panel to review non-residential and residential development in the Honeygo Gateway Commercial Revitalization District (CRD). The bill also adds the Honeygo Gateway CRD, as shown in the map attached to the bill and this fiscal note as Exhibit A, as a Design Review Panel Area to the Comprehensive Manual of Development Policies.

The County Council created the Design Review Panel in 1993 (Bill 12-93). The Panel acts in a consulting capacity and makes recommendations to the Hearing Officer (i.e., Zoning Commissioner or Administrative Law Judge) on certain developments. The Council may designate areas of the County in which developments are subject to review by the Panel (Bill 56-04).

Currently, non-residential development in the Essex, Catonsville, Arbutus, Pikesville, Perry Hall, and portions of the Loch Raven CRDs, as well as the South Towson (SOTO) and Historic East Towson Design Review Areas, are subject to Panel review. In addition, residential development in East Towson, Towson Estates, Ruxton/Riderwood/Lake Roland, and Sudbrook Park are subject to Panel review. Bill 59-21 requires non-residential and residential development in the Honeygo Gateway CRD to be reviewed by the Design Review Panel, as established by Resolution 67-21.

With the affirmative vote of at least five members of the County Council, Bill 59-21 shall take effect July 19, 2021.



Bill 60-21**Council District(s) All**

Mr. Marks

Social Host – Unruly Social Gatherings

Bill 60-21 amends the County's Social Host ordinance to remove location-based restrictions and any expiration or "sunset" provisions.

The County's Social Host ordinance, originally named the Unruly Social Gatherings Pilot Program, was enacted by the Council with the passage of Bill 90-15. That bill established the authority for a Police Officer to issue a civil citation to a property owner or any "responsible person" (i.e., the person who organized, supervised, or conducted the event) that caused, aided, allowed, or permitted an unruly social gathering at a residence or other private property within a specific residential area. An unruly social gathering is defined as a party, event, or assembly of four or more people at a residence where alcohol is consumed by someone under the age of 21, or where behavior is occurring that results in substantial disturbance of the peace and quiet enjoyment of private or public property.

In addition to civil penalties to the gathering attendees or responsible persons, including a property owner, a citation could include community service requirements and potential suspension or revocation of a rental license for property owners. These community service penalties have been credited as particularly effective at reducing subsequent offenses.

Bill 90-15 defined the Pilot Program geographic area as parts of East Towson and Arbutus, near the campuses of Towson University and UMBC, respectively. It also set an expiration for the bill of two years after its enactment. In January 2017, with the enactment of Bill 2-17, the Towson area boundaries were expanded to include neighborhoods in greater Towson, including Rodgers Forge and Loch Raven Village. Later that year, with the enactment of Bill 68-17, the Towson boundaries were again expanded from specific neighborhoods to all areas encompassed within the Towson Precinct (Precinct 6) of the Baltimore County Police Department. Bill 68-17 also extended the expiration set by Bill 90-15 to November 1, 2022.

Bill 60-21 removes all references to the term “Pilot Program.” It also replaces all references to the “Pilot Program Area” or specific geographic boundaries with “the County,” thus increasing the effective area to the whole of Baltimore County. Bill 60-21 also repeals the uncodified Section 2 of Bill 90-15, as amended by Bill 68-17, which contains the expiration provisions, thus making the Social Host ordinance permanent.

With the affirmative vote of at least five members of the County Council, Bill 60-21 shall take effect July 21, 2021.

Bill 61-21

Council District(s) All

Mr. Marks

Zoning Regulations – Dormitory and Purpose Built Student Housing

Bill 61-21 updates the Baltimore County Zoning Regulations regarding dormitories. The bill adds a definition for dormitories as well as a new housing classification – Purpose Built Student Housing (PBSH).

In 2019, the Council requested the Department of Planning perform a comprehensive review of conversions from commercial space to residential apartments in the County. The Planning Department issued several reports; a report released in September 2020 noted that many such conversions were based on demand for student housing. The report outlines where in the Baltimore County Code and Zoning Regulations dormitories appear and concludes that there is no set definition of a dormitory and that the uses have been inconsistent. Further, the existing uses do not adequately address the modern student housing arrangements of privately-run, off-campus developments. The Planning Board subsequently reviewed and endorsed the Department's report and recommendations in October 2020.

The Department recommended adopting a definition for dormitories that incorporates the current uses of that term and also adopting a new comprehensive and modern housing classification – PBSH. The Department researched the PBSH regulations of other jurisdictions and provided recommendations based on the specific needs of Baltimore County. Bill 61-21 adopts many of the Department's recommendations and incorporates them into the County Code and Zoning Regulations.

A dormitory is now defined as “a building used for the housing of participants located on an institutional campus such as a healthcare or educational facility, camp, monastery, or a religious institution.” By contrast, PBSH is a building that:

- is designed and marketed to be used for the primary purpose of housing students, both undergraduate and graduate, resident counselors, or advisors;
- is not located on the campus of a specific institution;

- is privately owned or owned by the institution;
- consists of three or more units and charges rent or living expenses on a per-bed basis;
- has a management plan that addresses security, parking, transportation, and code of conduct; and
- complies with the supplemental regulations as set forth in Section 441.

The bill changes the special regulations in Section 441 from narrow regulations for dormitories in the Manufacturing Light-Industrial, Major (M.L.-I.M.) Zone to regulations for PBSH County-wide. Specifically, PBSH is permitted in all zones except Density Residential (D.R.) 1, D.R. 2, D.R. 3.5, D.R. 5.5, Residential Office – Class A (R.O.A.), Residential Office (R.O.), and all Resource Conservation (R.C.) zones. The Design Review Panel must review each development for context within the community where it is proposed. Each building or development may exceed the applicable bulk and density regulations by 150%. Also, PBSH shall not be considered multi-family housing or rooming and boarding houses.

PBSH must include ground-floor office or retail in a Downtown Towson (D.T.), I.M., Commercial, Community Core (C.C.C.), or Commercial, Town Center Core (C.T.) Overlay district if the majority of the rest of the street has such uses. PBSH also must include a certain number of below-market-rate housing, have a management plan submitted with the development plan, include a transit stop providing transportation to area institutions, and contain storage for other modes of transportation such as bicycles or scooters.

Bill 61-21 differs from the previously introduced and withdrawn Bill 54-21 only in uncodified Section 2. Bill 61-21 states that, with the affirmative vote of at least five members of the County Council, Bill 61-21 shall take effect July 19, 2021 and shall not apply to any development plan that has received full and final approval prior to June 1, 2021.

Bill 62-21

Council District(s) 3

Mr. Kach

**Zoning Regulations – Uses Permitted – Residential Development Proposals –
Existing Golf and Country Clubs in the R.C. 4 Zone**

Bill 62-21 amends the height and area regulations of the Resource Conservation (R.C.) 4 Zone. Specifically, the bill permits a tract in a R.C. 4 Zone with a gross area more than 125 acres to be subdivided into no more than two lots, each of which must be at least one acre. A part of the tract must be located within 8,000 feet of the Jacksonville Rural Commercial Center and environs as designated in the Jacksonville Community Plan. The tract must also be subject to a pre-existing special exception for a golf course and country club, and the subdivision into two lots must be in addition to a lot for the golf course and country club. Any lot created under this authority is not subject to the performance standards contained in Section 1A03.5 of the Baltimore County Zoning Regulations.

With the affirmative vote of at least five members of the County Council, Bill 62-21 shall take effect July 21, 2021.

FM-1 (Contract Amendment)**Council District(s) All****Department of Corrections****Food Services – County Detention Center**

The Administration is requesting an amendment to a contract with Aramark Correctional Services, LLC to continue to provide food services for Detention Center inmates and Department of Corrections staff. The Department advised that the proposed amendment is necessary to avoid interruption of services while the County prepares a solicitation for bid and finalizes a new contract. The proposed amendment retroactively extends the contract for one additional year, from July 1, 2021 through June 30, 2022. Compensation may not exceed the amount appropriated for these services. Estimated compensation totals \$1,533,079 for the additional 1-year extension period and \$13,812,131 for the entire 8-year and 7-month term, including the renewal and extension periods. The contract commenced November 4, 2013 and expired June 30, 2021. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Total Compensation	Amended Total Compensation
County ⁽¹⁾	\$ 1,533,079	\$ 12,279,052	\$ 13,812,131
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 1,533,079</u> ⁽²⁾	<u>\$ 12,279,052</u> ⁽³⁾	<u>\$ 13,812,131</u> ⁽⁴⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Estimated compensation for the additional 1-year amended term.

⁽³⁾ Estimated compensation for the current 7-year and 7-month term.

⁽⁴⁾ Estimated compensation for the entire 8-year and 7-month term, including the additional 1-year extension period. Compensation may not exceed the amount appropriated for these services.

Analysis

The Department advised that the proposed amendment is necessary to avoid an interruption of services while the County prepares a solicitation for bid and finalizes a new contract; the Department expects to submit a new contract for the Council's consideration on a legislative agenda in January 2022. The Department advised that the delay in generating the solicitation is due to the COVID-19 pandemic.

Under the proposed amendment, the contractor will continue to be responsible for full food service operations for Detention Center inmates and Department of Corrections staff. The contractor will provide three meals per day, 365 days per year. The contractor will be responsible for food preparation (with the assistance of inmate labor) as well as providing the food, condiments, utensils, supplies, dishwashing, uniforms, and cleaning supplies related to food preparation and service. The food provided by the contractor must meet specific quality and nutritional standards. The County will supply, own, and maintain the necessary kitchen equipment and provide pest control, security, utilities, laundry, and trash removal. The contractor will provide adequate staffing, including a food service director, a food service manager, and at least three cook supervisors. The County will supply two Correctional dietary staff.

The Department advised that the contractor will continue to provide food services at the same cost per meal the County is currently paying. The County will be billed at a standard price per meal on a sliding scale based upon the size of the inmate population. The price per meal decreases as the size of the population increases in increments of 50 inmates. The Department projects that the per-meal cost will be \$1.412 at the commencement of the additional 1-year extension period based upon an estimated daily population of 950 inmates. The contractor will provide religious, medical, and vegetarian meals at no additional charge. Staff meals, which will include a choice of three different meals for lunch and dinner, will be billed at the same rate as inmate meals. The Department advised that the average number of staff meals per week is 875. The contractor will also provide food and beverages for certain special staff functions (e.g., holiday luncheon, awards ceremony, and cookout) at prices to be negotiated at the time of the functions. Failure to adhere to contract terms will result in financial penalties to the contractor (e.g., \$100 per occurrence for failure to serve food at proper temperature and portion size).

On November 4, 2013, the Council approved the original 7-year and 7-month contract. The Department estimates that expenditures under the contract will total \$12,279,052. The proposed amendment retroactively extends the contract for one additional year, from July 1, 2021 through

June 30, 2022. Compensation may not exceed the amount appropriated for these services. Estimated compensation totals \$1,533,079 for the additional 1-year extension period and \$13,812,131 for the entire 8-year and 7-month term, including the renewal and extension periods. All other terms and conditions remain the same. The Department advised that the estimated value of services to be incurred under the contract from July 1, 2021 to July 6, 2021 totals \$23,500. The County may terminate the agreement by providing 90 days prior written notice.

The County awarded the contract through a competitive procurement process based on best value from three bids received; Aramark Correctional Services, LLC was the second most responsive and responsible bidder.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....” As previously mentioned, the proposed contract amendment commences July 1, 2021. We believe this situation may constitute a violation of the aforementioned section of the County Charter since the contract amendment commences prior to Council approval.

EXECUTIVE SUMMARY

The Department of Corrections is requesting Council Approval to AMEND the current contract with Aramark Correctional Services to provide food services to the inmate population at the Baltimore County Detention Center. Aramark has been providing food services to the County since 2013. The current contract will expire on June 30, 2021 with no additional renewals. Aramark has reached out to the County to extend the current contract for (1) additional year and has offered the cost per meal for FY2022 to remain the same as FY2021 with NO CPI increase. All other terms, conditions, and provisions of the agreement will remain the effect.

This would be in the best interest for the County to continue this contract, while additional time is needed to prepare a solicitation for bid. The County desires to AMEND the contract to provide the additional renewal year to avoid interruption of food services.

The FY2022 approximate cost to provide food services to the inmate population is \$1,533,079.00. Funds have been appropriated in the FY2022 Corrections' Budget.

Prepared by: Department of Corrections

FM-3 (Contract Amendment)**Council District(s) All**

Office of Budget and Finance

Corporate Purchasing Card Services

The Administration is requesting an amendment to a contract with PNC Bank, National Association to continue to provide corporate purchasing card services (“P-cards”) for the County. The proposed amendment retroactively extends the contract for five additional years, from July 1, 2021 through June 30, 2026. In addition, the proposed amendment changes the terms of the rebate (based on the annual dollar volume of P-card activity) provided to the County; adds a provision that PNC may temporarily increase the County’s credit limit; and requires the County to provide certain financial information/documentation in compliance with applicable laws/federal regulations. Compensation will be paid in accordance with a fee schedule (e.g., fees for late payments, customized P-card designs); however, the Office of Budget and Finance, Purchasing Division advised that it does not anticipate incurring any such fees. The contract commenced July 1, 2013 and expired June 30, 2021. See Exhibit A.

Fiscal Summary

Costs are incurred in accordance with a fee schedule (e.g., fees for late payments, customized P-card designs, cash advance transactions, foreign exchange fees, web services fees); however, the Purchasing Division advised that it has not incurred any such fees and does not expect to incur any going forward. The County receives a rebate from the contractor based on the annual dollar volume of P-card activity, and the amount of the rebate increases as P-card spending increases. The Purchasing Division estimates an FY 2022 rebate of approximately \$162,471, based on average P-card expenditures for fiscal years 2018 through estimated FY 2021. The Purchasing Division advised that since the County’s P-card spending increased over the FY 2020 through FY 2021 period due to COVID-related purchases, it expects a slight decrease in the FY 2022 rebate; however, the decrease will be somewhat offset due to the recent increase in the single transaction limit (from \$1,000 to \$2,500).

Analysis

Under the proposed amendment, the contractor will continue to provide corporate P-card services for the County. P-cards enable designated County employees to purchase goods and services within established spending limits - single transaction limits of \$2,500 and Buyers within the Purchasing Division are authorized to charge individual purchases of up to \$25,000; these limits were increased from \$1,000 and \$10,000, respectively, in November 2020. There are also certain cardholders who are authorized to make travel arrangements (exclusive of hotel reservations) for which transaction limits vary. In addition, the contractor has created specific vendor ("ghost") accounts (i.e., single vendor accounts that can be used by multiple employees) to facilitate office supply purchases in conjunction with the County's office supply contract. The Purchasing Division advised that the County's total P-card credit limit remains at \$7.5 million. The Purchasing Division also advised that as of the June 2021 billing cycle, the County has 870 active P-card accounts and 226 active "ghost" accounts.

On July 1, 2013, the Council approved the original 8-year contract. The proposed amendment retroactively extends the contract for five additional years, from July 1, 2021 through June 30, 2026. In addition, the proposed amendment changes the terms of the rebate (based on the annual total volume of P-card activity) provided to the County. The proposed amendment provides rebates for standard transactions ranging from 1.62% to 1.94%, based on annual transaction amounts of up to \$19.9 million to \$100 million or more, respectively, changed from 1.3% to 1.7%, based on annual transaction amounts of up to \$4.9 million to \$25 million or more, respectively. The proposed amendment also provides that the portion of the annual dollar volume attributed to Level III and Large Ticket transactions earn rebate incentives at the applicable standard transaction rate and at 0.725%, respectively. The proposed amendment also adds a provision that PNC may temporarily increase the County's credit limit on such terms and for such period as PNC may determine, and requires the County to provide certain financial information/documentation in compliance with applicable laws/federal regulations. The contractor is paid in accordance with a fee schedule (e.g., fees for late payments, customized P-card designs, cash advance transactions, foreign exchange fees, web services fees); however, the Purchasing Division advised that it has not incurred any such fees and does not expect to incur any going forward. The County may terminate the agreement by providing 120 days prior written notice.

The County awarded the original contract through a competitive procurement process based on qualifications and experience from 6 proposals received.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....” As previously mentioned, the proposed contract amendment commences July 1, 2021. We believe this situation may constitute a violation of the aforementioned section of the County Charter since the contract amendment commences prior to Council approval.

Executive Summary

The scope of services under this contract is to allow designated individuals to purchase goods and services within established spending limits using procurement card (P-card). The County had previously contracted with USBank in 1997 via a piggyback of a Howard County competitively bid contract.

The current agreement was awarded as a result of the competitive procurement process (RFP) based on the best value to the County, as noted above. The Initial Term was from July 1, 2013 to June 30, 2018 and three (3) one-year renewal options were executed.

PNC has a robust tool to allow the Program Administrator to create and manage accounts and create reports to include, but not limited to: Cardholder/Account reports, Transaction reports, 1099 reports and MBE/WBE reports.

This amendment will extend the expiration date to June 30, 2026. Baltimore County receives a rebate based upon the aggregate total dollar volume of the Procurement Card Program activity on a yearly basis.

Prepared by: Office of Budget and Finance

FM-6 (Contract)

Council District(s) All

Department of Public Works and Transportation

On-Call Sanitary Sewer/Stormwater Inspection/Cleaning

The Administration is requesting approval of a contract with Mobile Dredging & Video Pipe, Inc. to provide on-call sanitary sewer and stormwater inspection and cleaning services on an as-needed basis. The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods, with the option to extend the initial term or any renewal term an additional 120 days. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$15,573,163 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 15,573,163	⁽¹⁾ Metropolitan District Operating and/or Capital funds.
State	--	⁽²⁾ Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 1-year term.
Federal	--	
Other	--	
Total	<u>\$ 15,573,163</u> ⁽²⁾	

Analysis

The contractor will furnish all necessary labor, materials, supervision, and equipment to provide on-call inspection and cleaning services for sanitary and stormwater collection systems throughout the County. Services will be provided for projects that primarily relate to the County's 2005 consent decree with the U.S. Department of Justice, U.S. Environmental Protection Agency (EPA), and the Maryland Department of the Environment (MDE) for the elimination of sanitary

sewer overflows. Services will include cleaning and inspection of sanitary and stormwater system pipes; inspection and/or GPS surveys of manholes/structures; smoke testing; and dyed water testing and dyed water flooding, and must be performed in compliance with certain County standards and specifications. The contractor also is responsible for the safe and continuous maintenance of traffic in areas of cleaning and inspection. The Department advised that the contractor's work will supplement its Pipeline Maintenance Division with work assigned to best utilize the Division's staff and equipment, as well as the contractor's specialized equipment.

The County will be charged in accordance with unit prices set forth in the bid response, which vary according to service provided (e.g., \$90 per hour for a State-certified flagger; \$2 per linear foot for on-road root cutting in 8-10 inch diameter pipes; \$200 per sewer lateral inspection; \$300 per hour for pipeline surveys; and \$500 per dyed water test).

The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$15,573,163 for the entire 5-year and 4-month term, including the renewal and extension periods.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The contract stipulates that the contractor is liable for liquidated and actual damages in the event certain criteria are not met (e.g., issues resulting in additional workload and/or expenditures on the part of the County).

The County awarded the contract through a competitive procurement process; no other bids were received. According to the bid documents, there was a 25% M/WBE participation requirement.

On March 20, 2017, the Council approved two similar 5-year agreements not to exceed \$14,802,998 combined with Mobile Dredging & Video Pipe, Inc. and Pipe and Plant Solutions,

Inc. The County's financial system indicated that as of June 16, 2021, expenditures/encumbrances under the contracts totaled \$10,576,298: \$8,424,319 to Mobile Dredging and Video Pipe, Inc. and \$2,151,979 to Pipe and Plant Solutions, Inc. The Department advised that the current contract with Mobile Dredging & Video Pipe, Inc. will continue to be used for current projects, and that the contract with Pipe and Plant Solutions, Inc. was terminated in March 2020.

The Department advised that Mobile Dredging & Video Pipe, Inc. also provides pipeline grouting services under a separate contract.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

EXECUTIVE SUMMARY

Approval is requested for the Mobile Dredging & Video Pipe, Inc. contract for sanitary sewer and stormwater inspection and cleaning services pursuant to Request for Bid number B-1589, won on the basis of Best Qualified, Low Bid.

The initial term of the contract is one year, with the option for Baltimore County to renew after the first year for four (4) additional one-year renewals. No other bids were received, but the bid came in 12.4% less than the Engineer's Estimate and could save the County approximately \$140,000.00 on FY22 planned work, compared to assigning that work on the currently available contract.

The total compensation is not to exceed \$15,573,162.80 over the entire 5-year term. It is the intention of this contract that the Contractor shall furnish and the County shall purchase sanitary sewer and stormwater inspection and cleaning services in accordance with County specifications, which the County may require during the time specified and at any work area within the boundaries of Baltimore County, Maryland.

This Contractor will supplement Utilities' own Pipeline Maintenance Division in order to meet federally mandated Consent Decree obligations. Work will be assigned in such a way to make best use of Utilities' own staff and equipment, as well as, specialized equipment available through the Contractor.

Mobile Dredging & Video Pipe, Inc. has provided satisfactory work on the two previous similar contracts, B-195 and B-1051. For each of those, they were the only one of the two awarded Contractors to fulfill their obligation and stay on for the full duration of the contract. After discussion with the Contractor, we believe they will be able to handle the full obligation of this contract.

Prepared by: Department of Public Works and Transportation

FM-7 (3 Contracts)

Council District(s) All

Department of Permits, Approvals & Inspections

Review of Landscaping/Lighting Plans – Baltimore County Landscape Manual

The Administration is requesting approval of three contracts to provide on-call landscape and lighting plan reviews and approvals in accordance with the Baltimore County Landscape Manual. The three contractors are Human & Rohde, Inc., Kimley-Horn and Associates, Inc., and Pennoni Associates, Inc. Each contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. The contracts do not specify a maximum compensation for the initial 1-year term or for the entire 5-year and 4-month term, including the renewal and extension periods. Compensation for the three contractors combined is limited to the amount appropriated for these services for the entire contract term. Estimated compensation for all contractors combined totals \$125,000 for FY 2022 and \$656,250 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	FY 2022	Combined Total Compensation
County ⁽¹⁾	\$ 125,000	\$ 656,250
State	--	--
Federal	--	--
Other	--	--
Total	\$ 125,000 ⁽²⁾	\$ 656,250 ⁽³⁾

⁽¹⁾ General Fund and Metropolitan District Fund Operating Budgets.

⁽²⁾ Maximum compensation for the three contractors providing these services for FY 2022. The contracts do not specify a maximum compensation for the initial 1-year term.

⁽³⁾ Estimated compensation for the three contractors providing these services for the entire 5-year and 4-month term, including the renewal and extension periods. The contracts do not specify a maximum compensation for the entire contract term. Compensation may not exceed the amount appropriated for these services for the entire contract term.

Analysis

The contractors will provide on-call review services to assist with the review and approval of landscape and lighting plans submitted to the Department of Permits, Approvals and Inspections, in accordance with the Baltimore County Landscape Manual. The Department advised that it currently employs one part-time Landscape Architect who reviews the plans submitted to the Department. The Department further advised that due to an increase in the volume and complexity of the plans submitted, the proposed contracts are necessary to supplement the in-house review services. The Department also advised that the Landscape Architect will assign tasks to the contractors as deemed appropriate.

Hourly labor rates range from \$70.80 to \$113.28 for Human & Rohde, Inc., \$105 to \$125 for Kimley-Horn and Associates, Inc., and \$87 to \$118 for Pennoni Associates, Inc., depending on the position (i.e., Landscape Architect, Landscape Designer) and time status (regular or overtime). Materials will be billed at a markup of 10% for the Kimley-Horn and Associates, Inc. and Pennoni Associates, Inc. contracts; there is no markup for the Human & Rohde, Inc. contract.

Each contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contracts do not specify a maximum compensation for the initial 1-year term or for the entire 5-year and 4-month term, including the renewal and extension periods. Compensation for the three contractors combined is limited to the amount appropriated for these services for the entire contract term. Estimated compensation for all contractors combined totals \$125,000 for FY 2022 and \$656,250 for the entire 5-year and 4-month term, including the renewal and extension periods.

The Kimley-Horn and Associates contract provides that prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The Request for Proposal provides that if price adjustments are requested, the contractors must notify the County at least 90 days prior to the expiration of the current terms. The County may terminate the agreements by providing 30 days prior written notice.

The County awarded the contracts through a competitive procurement process based on qualifications from eight proposals received. According to the bid documents, there was not an M/WBE participation requirement.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

EXECUTIVE SUMMARY

The services of these contracts are to provide Landscape and Lighting plan reviews and approvals in accordance with the Baltimore County Landscape Manual. The contractors shall provide all necessary labor and all other incidentals needed to complete the work in accordance with the specifications in the Request for Proposal (attached). Funding is to be provided in budget code 001/030-017-1701-0318.

Prepared by: Department of Permits, Approvals & Inspections

FM-8 (3 Contracts)

Council District(s) All

Department of Aging

Assisted Living Care Services

The Administration is requesting approval of 3 contracts to provide assisted living care for eligible County residents, age 62 and older, who meet income and eligibility requirements. Each contract commences July 1, 2021 and may not exceed \$25,000 unless approved by the Council. If approved, each contract will continue through June 30, 2022 and will renew automatically for four additional 1-year periods. The County will pay the contractors a subsidy amount, up to \$1,000 per month per client (plus annual consumer price index escalations), based on the client's contribution of income, at a rate to be determined by State guidelines. Estimated compensation for all contractors providing these services totals \$789,718 for FY 2022 and \$3,948,590 for the entire 5-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	FY 2022	Combined Total Compensation
County	--	--
State ⁽¹⁾	\$ 789,718	\$ 3,948,590
Federal	--	--
Other	--	--
Total	<u>\$ 789,718 ⁽²⁾</u>	<u>\$ 3,948,590 ⁽³⁾</u>

⁽¹⁾ Maryland Department of Aging funds.

⁽²⁾ Estimated compensation for all contractors providing these services for FY 2022.

⁽³⁾ Estimated compensation for all contractors providing these services for the entire 5-year term, including the renewal periods, assuming the FY 2022 estimated cost for the renewal periods.

Analysis

The Department operates the Senior Assisted Living Subsidy Program, which provides low and moderate income seniors access to State-licensed small assisted living sites (4 to 16 beds). Specifically, the program subsidizes assisted living expenses of County residents, 62 years of age and older (or under 62 as approved by the Maryland Department of Aging), who meet income and eligibility requirements. According to State law, to be eligible for this program, a client's net monthly income (monthly income from all sources, minus non-reimbursable medical expenses greater than 3 percent of total monthly income, minus an allowance for personal expenses of \$130 per month) may not be higher than 60 percent of the State median income (i.e., \$3,121 for a single household and \$4,081 for a two-person household); assets may not exceed \$19,000 for an individual or \$25,000 for a couple.

The contractors will provide the following assisted living services to eligible County residents: onsite supervision 24 hours per day, 7 days per week; three meals per day and an evening snack; personal services (e.g., grooming, bathing, dressing); and housekeeping and laundry services.

The 3 contractors are:

- Homestyle Assisted Living, LLC;
- Homestyle, LLC; and
- J.L. Care Enterprise Home Again II, Inc. T/A J.L. Care Enterprises.

The client is responsible for entering into a service agreement for the services needed directly with the contractor of his or her choice from the County's list of contractors. The County will pay the contractors a subsidy amount up to \$1,000 per month per client (plus annual consumer price index escalations), based on the client's contribution of income, at a rate to be determined by State guidelines. The Department advised that State regulations allow for subsidies of up to \$1,000 per month based on client income and facility cost; the County will pay the lesser of the difference between the subsidized resident's net monthly income and the facility's approved monthly fee, or the maximum monthly subsidy of \$1,000. The client is responsible for paying any contractor fees in excess of the County's subsidy amount. Contractor fees charged to clients vary depending on the level of services provided and may not exceed the fees charged to non-subsidized clients for the same level of service.

Each contract commences July 1, 2021 and may not exceed \$25,000 unless approved by the Council. If approved, each contract will continue through June 30, 2022 and will renew automatically for four additional 1-year periods. Estimated compensation for all contractors providing these services totals \$789,718 for FY 2022 and \$3,948,590 for the entire 5-year term, including the renewal periods, assuming the FY 2022 estimated cost for the renewal periods. Either party may terminate the agreement by providing 30 days prior written notice. The contracts are subject to the availability of State funds and may be terminated by the County in the event of a reduction or termination of funding. The Department advised that the maximum incurred cost prior to Council approval is \$1,514.

The County contracts with any provider that is licensed by the State of Maryland, serves Baltimore County residents, and meets Department criteria for providing these services. The Department advised that there are currently 29 contractors providing assisted living care services; this includes the proposed contractors, whose contracts are set to expire June 30, 2021. On June 7, 2021, the Council approved 23 contracts for assisted living care services due to the June 30, 2021 expiration of 22 of those contracts.

The Department advised that the number of clients served per year depends on longevity and changing service needs as well as State funding levels, and that currently, there is no waiting list for services. The Department also advised that it served 101 clients in FY 2020 and expects to serve 101 clients in each of FYs 2021 and 2022. FY 2020 expenditures totaled \$578,455, and FY 2021 expenditures through April 2021 totaled \$459,698.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

Executive Summary

SENIOR ASSISTED LIVING SUBSIDY PROGRAM Fiscal Year 2022

The Department of Aging is requesting approval of 3 assisted living contracts for fiscal year 2022. The Senior Assisted Living Subsidy program subsidizes assisted living expenses of Baltimore County residents 62 years of age or older who meet income and eligibility requirements. Services provided include: twenty-four hour, seven days per week on-site supervision, three meals per day and evening snack, personal services (grooming, bathing, dressing), and housekeeping and laundry services.

The Department served 101 clients in FY 2020 and estimates it will serve 101 clients in FY2021 and FY 2022 for all contracts. Assisted living fees vary depending on the services provided and are generally the same as those charged to non-subsidized clients. The client is responsible for fees in excess of this subsidy.

These original contracts will be effective July 6, 2021 through June 30, 2022 (initial term), with an option to renew for four (4) years under the same terms, conditions, and State established rates. The contractors are assisted living facilities licensed by the Maryland Department of Health.

Prepared by: Department of Aging

FM-9 (Contract)

Council District(s) 7

Department of Permits, Approvals and Inspections

Prime Storage North Point Boulevard Baltimore Residential, LLC – North Point Boulevard

The Administration is requesting approval of a contract to acquire property totaling approximately 0.96 acre for \$102,500 to be used for passive open space. Prime Storage North Point Boulevard Baltimore Residential, LLC currently owns the property, which is located northeast of North Point Road and northwest of Robinson Avenue in Dundalk. The property is zoned DR-5.5 (Density Residential – 5.5 units/acre). See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County	--	(1) Program Open Space funds.
State ⁽¹⁾	\$ 102,500	
Federal	--	
Other	--	
Total	<u>\$ 102,500</u>	

Analysis

The Department advised that two appraisals were obtained pursuant to Program Open Space (POS) policy for review by the Maryland Department of Natural Resources (DNR): one by Thomas J. Burleson effective February 2021, recommending \$110,000, and one by Everett Benfield Advisors effective February 2021, recommending \$95,000. The Department further advised that the average of the two appraised values (\$102,500) was used as the settlement price. The Department advised that the County will be reimbursed with POS funds.

The approximate 0.96-acre property to be acquired is part of a larger 2.80-acre property that is improved with a two-story residential dwelling and is located on the northeast side of North Point Road at the intersection of German Hill Road, northwest of Robinson Avenue, in Dundalk. According to the appraisals, the property to be acquired is vacant with the exception of a partial retaining wall along North Point Road, unmarked gravesites from the War of 1812, and an historic battle monument. The contract states that the seller is responsible for removing trash, debris, and personal property. The Department advised that the County intends to use the property for passive open space in order to preserve an historic monument (War of 1812 memorial).

The contract states that the sale is contingent on the following conditions being met:

- The seller has received all approvals and permits to demolish an existing 2-story dwelling and other abandoned structures on the portion of property that will not be acquired;
- The seller has received all approvals and building permits to develop and construct a self-storage building on a portion of property that will not be acquired; and
- The subdivision of the property to create the portion to be acquired will be accomplished by the County through its condemnation powers. The Department advised that this is a “friendly condemnation” in that the property owner did not compel the filing of a court action.

The Department advised that this proposed acquisition is the first of two planned acquisitions for this project, both of which require Council approval. As of June 9, 2021, \$7,750 has been expended for this project.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000.

Executive Summary

PROGRAM TITLE: North Point Monument

PROJECT NO.: 242.212.601.0869

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Prime Storage North Point Blvd, Baltimore Residential, LLC

PROPERTY INTEREST TO
BE ACQUIRED: 0.96 acre parcel part of the Prime Storage North Point Boulevard
Baltimore Residential Property Northeast Side of North Point
Road Northwest of Robinson Ave. Election District 15

LOCATION: 2400 North Point Blvd Dundalk

CONSIDERATION \$102,500

PURPOSE OF PROJECT: acquisition of portion of 0.960 acres of open space

LIMITS OF PROJECT: a portion of Prime Property containing 0.960 acres of the commonly
known 2400 North Point Blvd.

Prepared by: Department of Permits, Approvals & Inspections

FM-10 (Contract)

Council District(s) All

Property Management

HVAC Maintenance/Repair for Computer Environments

The Administration is requesting approval of a contract with E.J. Herring & Son, Inc. to provide preventative maintenance and repair services to the County's computer-related HVAC equipment and systems at various County sites. The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$1,726,484 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 1,726,484	⁽¹⁾ General Fund Operating Budget or Capital Projects Fund, depending on the nature of the work. ⁽²⁾ Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 1-year term.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 1,726,484</u> ⁽²⁾	

Analysis

The contractor will furnish all labor, equipment, materials, supervision, and related items necessary to repair and provide quarterly inspections and preventative maintenance for HVAC systems located at 42 OIT equipment locations throughout the County, including computer environments and radio towers. For non-emergency repair services, the contractor will be required to report to the site within 8 hours of notice and provide a proposal for repairs. In an emergency situation, the contractor must physically report to the site within 2 hours of call

receipt, phone in an immediate quote to the County, and after receiving approval, repair equipment within 4 hours of the initial call. The County may add or delete equipment at its sole discretion. The contract provides that failure to repair the equipment (or to provide temporary cooling) within the agreed upon time shall result in the County's assessment of liquidated damages against the contractor in the amount of \$50 per hour until the equipment is repaired and fully operational.

Hourly labor rates for HVAC unit maintenance range from \$30 to \$143, depending on the worker's skill level and regular/overtime status. Annual maintenance costs range from \$200 to \$6,400, depending on the equipment/site. Materials and rental equipment will be billed at a 10% markup.

The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$1,726,484 for the entire 5-year and 4-month term, including the renewal and extension periods.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process based on low bid from five bids received. According to the bid documents, there was not an M/WBE participation requirement.

On July 6, 2015, the Council approved a similar 5-year and 4-month contract (which commenced June 1, 2015) with Power and Combustion, Inc. not to exceed \$502,883. On August 5, 2019, the Council approved an amendment to the contract to increase the maximum compensation by \$241,330 to \$744,213. According to the County's financial system, the County expended \$711,601 under this contract. Property Management advised that Power and Combustion has provided services since the expiration of the previous contract with expenditures totaling \$5,877 as of May 26, 2021. Property Management further advised that the increase in maximum

compensation under the proposed contract is attributable to an increased need for services (including replacements) of aging HVAC units.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

Executive Summary

Property Management is requesting the approval of a contract for E.J. Herring & Son, Inc. to provide HVAC maintenance and repair services for computer environments for sites Countywide.

The Contractor acknowledges that in no event shall the total compensation exceed the sum of One Million, Seven Hundred Twenty Six Thousand Four Hundred Eighty Three Dollars and Fifty-One Cents (\$1,726,483.51) during the entire term of this Agreement including renewals thereof. This Agreement shall be effective when it is signed by the County and shall continue for one year (the "Initial Term"). The County reserves the right to renew this Agreement for four (4) one-year renewal options on the same terms and conditions. The County will automatically renew this Agreement at the end of the Initial Term and each renewal term (except the last) unless it provides written notice of non-renewal to the Contractor prior to the end of the then current term.

Prior to the commencement of subsequent renewal terms, the County may entertain a request for an escalation in accordance with the current Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower.

Prepared by: Property Management

FM-11 (Contract)

Council District(s) All

Office of Law

Consulting Services – New Selection Device – BCPD

The Administration is requesting approval of a contract with Industrial/Organizational Solutions, Inc. to develop and validate a new written examination for Police Officer and Cadet applicants. The contract commences upon Council approval, continues for 1 year, and will renew automatically for one additional 1-year period with the option to extend the initial term or the renewal term an additional 90 days. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$200,000 for the entire 2-year and 3-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 200,000	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Maximum compensation for the entire 2-year and 3-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 1-year term.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 200,000</u> ⁽²⁾	

Analysis

The contractor will develop and validate a lawful “New Selection Device” (written examination) for the Police Department’s Police Officer and Cadet applicants in accordance with Title VII, the Uniform Guidelines on Employee Selection Procedures. The contractor will prepare a work plan for the development of the new examination that details each stage of the design, development, and validation of the exam, including estimated timelines for each stage and a timeline for producing information for review by the U.S. Department of Justice (DOJ). The exam will consist of a cognitive ability component and a non-cognitive component. The cognitive component will

be developed based on the results of a job analysis performed by the contractor, and the non-cognitive component will be built from the contractor's proprietary components that it has determined are effective at reducing racial disparity.

Prior to developing the exam, the contractor will conduct a job analysis for the County's Police Officer position. The contractor will also conduct a validation study to support the use of the newly constructed exam.

The contractor will administer the exam to approximately 5,000 applicants, and upon completion of the exam, the contractor will generate and deliver a rank-ordered list of candidate scores to BCPD to validate the exams. In addition, the contractor will develop a study guide for use by prospective applicants to prepare for the exam.

According to the contractor's proposal, exam development and validation are expected to be complete in September 2021, exam customization and study guide development in December 2021, test scoring and provision of the eligibility list 2-3 weeks following the exam, and technical report approximately three months following the exam. The contract provides for compensation for the contractor of \$143,890 for all examination development services. The Office advised that the contract not-to-exceed amount includes \$56,110 as a contingency. The contract also provides that the contractor may provide counsel, deposition, and expert testimony services for the purposes of defending the development, validation, and administration of selection processes for an additional fee at hourly rates set forth in the contract.

The contract commences upon Council approval, continues for 1 year, and will renew automatically for one additional 1-year period with the option to extend the initial term or the renewal term an additional 90 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$200,000 for the entire 2-year and 3-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process based on qualifications from two proposals received. The Department advised that the award was subject to approval by the DOJ and that the DOJ rejected the other proposal received. According to the bid documents, there was not an M/WBE participation requirement.

The Office advised that it expects to incur services valued at \$5,275 prior to Council approval.

FM-2 on this agenda is a contract with Industrial/Organizational Solutions, Inc. to provide independent, third party testing services to evaluate Fire Department applicants.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

Executive Summary

The County is entering into a contract for a consultant to develop and validate a lawful New Selection Device for BCPD in accordance with Title VII, the Uniform Guidelines on Employee Selection Procedures (“UGESP”), 29 C.F.R. Part 1607, the Principles for the Validation and Use of Personnel Selection Procedures of the Society for Industrial and Organizational Psychologists (“SIOP Principles”), pursuant to the terms of a Settlement Agreement entered into between the County and the United States Department of Justice.

Prepared by: Office of Law

FM-12 (Contract Amendment)**Council District(s) All****Office of Law****Claims Administration Services**

The Administration is requesting an amendment to a contract with Class Action Administration, LLC dba JND Legal Administration to continue to provide claims administration services, which are required as part of the settlement reached between the County and the U.S. Department of Justice regarding the Police Department's prior hiring practices. The proposed amendment increases the maximum compensation by \$128,000, from \$112,000 to \$240,000, for the entire approximate 2-year and 5-month term, including the renewal and extension periods. The Office advised that the contract commenced November 16, 2020. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 128,000	\$ 112,000	\$ 240,000
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 128,000</u>	<u>\$ 112,000</u>	<u>\$ 240,000</u> ⁽²⁾

⁽¹⁾ Self-Insurance Fund.

⁽²⁾ Maximum compensation for the entire approximate 2-year and 5-month term, including the renewal and extension periods.

Analysis

The contractor provides claims administration services, which are required as part of the settlement agreement reached between the County and the U.S. Department of Justice (DOJ) regarding the Police Department's prior hiring practices.

Services include:

- Confirming and/or researching current addresses for applicants, providing notice and objection filing instructions and interest-in-relief forms to relevant applicants, and recording and notifying the County and the DOJ of undeliverable notices;
- Recording and maintaining completed notices of objection and interest-in-relief forms;
- Preparing and providing notice of preliminary eligibility relief determinations to claimants and providing the County and DOJ with all objections;
- Preparing and providing acceptance of relief and withholding tax forms; and
- Receiving, reviewing, and maintaining acceptance of relief forms and providing qualified forms to the County and the DOJ on a weekly basis.

The contract also establishes the following:

- The DOJ will provide the contractor a final list, identifying whether each claimant returned all forms in a timely manner and indicating the amount of back pay payable to each claimant.
- The contractor will mail back-pay award checks no later than 30 days after the DOJ provides a final awards list.
- The contractor will provide the County and the DOJ a list of awards that are outstanding in order to identify delivered but uncashed checks and checks returned as undeliverable.
- The contractor will notify claimants (via email and mail) whose payments remain outstanding and provide each with a final notice no later than 160 days after mailing the checks. If after 200 days the funds remaining in the settlement account are not “de minimis,” then a funding reallocation may occur, requiring another round of payments.

The Office advised that claim forms were being mailed to potential claimants on June 23, 2021, and that claimants may file a claim until August 9, 2021. The Office further advised that the DOJ then will determine the award amounts, and a court hearing will be scheduled to approve the awards.

The Office advised that the proposed amendment is necessary due to an increase in the scope of work as a result of an increase in the estimated size of the affected class (from 1,250 to 1,644 individuals) and an anticipated increase in the number of objections to be filed to the proposed settlement due to the increase in the number of potential claimants.

The Office advised that the original contract commenced November 16, 2020, with maximum compensation not to exceed \$112,000. The proposed amendment increases the maximum compensation by \$128,000 to \$240,000 for the entire approximate 2-year and 5-month term, including the renewal and extension periods; the contract's fee schedule is updated to reflect the increased size of the affected class and objections and the resulting estimated costs. All other terms and conditions remain the same. According to the County's financial system, \$48,146 has been expended/encumbered under the contract as of June 21, 2021.

The County awarded the original contract as a noncompetitive 902(f) award secured in the best interest of the County. The Office previously advised that the settlement required the County to contract with a claims administrator and that the selection of the contractor was subject to DOJ approval. The Office further advised that it requested names of companies approved by the DOJ to perform similar work; the Office of Budget and Finance, Purchasing Division, contacted these companies, and Class Action Administration, LLC was the only respondent.

County Charter, Section 902(f), states that "when... [competitive] bidding is not appropriate, a contract shall be awarded only by competitive negotiations, unless such negotiations are not feasible. When neither competitive bidding nor competitive negotiations are feasible, contracts may be awarded by noncompetitive negotiations."

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

Executive Summary

Agreement was entered into on November 16, 2020 with CLASS ACTION ADMINISTRATION LLC dba JND LEGAL ADMINISTRATION to provide claims administration services with respect to settlement of *United States of America v. Baltimore County, Maryland*, Civil Action No. 1:19-CV-02465-CCB, before the United States District Court District of Maryland. Compensation was not to exceed \$112,000. Subsequent to the date of the Agreement, the parties determined that the scope of work would need to increase due to an increase size of the affected class, ~~extension of the project duration~~, and anticipated increase in the number of objections to be filed to the proposed settlement, thus increasing the anticipated cost of services. The new not to exceed amount is being increased to \$240,000.

Prepared by: Office of Law

MB-2 (Res. 86-21)**Council District(s) All**

Mr. Jones (By Req.)

Department of Permits, Approvals & Inspections

Amend Local Open Space Waiver Fees

Resolution 86-21 amends the Local Open Space Waiver Fee schedule. Pursuant to Section 32-6-108 of the Baltimore County Code, the Department of Permits, Approvals and Inspections (PAI) may allow a developer applying for development plan approval to pay a fee-in-lieu to the Local Open Space Revenue Account instead of dedicating a certain portion of land when it is not feasible to meet the local open space requirement on-site or off-site. The fee-in-lieu (hereinafter the "Local Open Space Waiver Fee") was established in March 2000 as a reasonably proportionate offset for the cost to the County to acquire alternate recreational land.

In 2016, the County Council enacted Bill 73-16, which modified the Local Open Space Waiver Fee structure within the Baltimore County Code from a zoning classification-based structure to a tier-based structure. The Council enacted Resolution 87-16 in September 2016, which changed references to C.T. District of Towson fee rates to D.T. District fee rates; the rates themselves remained unchanged from those adopted via Resolution 90-15 in October 2015.

In November and December 2020, a workgroup was convened consisting of representatives of the Departments of Planning, PAI, and Recreation and Parks, Baltimore County Council, Maryland Building Industry Association, NeighborSpace, Baltimore County Office of Sustainability, Green Towson Alliance, and a local developer, to make a recommendation on the appropriate Local Open Space Waiver fees. The workgroup's analysis concluded that the best approach would be to utilize a hybrid of the existing fees outlined in Resolution 87-16, thus still aligning with the land use policies identified in the Baltimore County Master Plan and other community plans.

Pursuant to Baltimore County Code, Section 32-6-108(i), the County Administrative Officer (CAO) proposes changes to the fees after consultation with the Departments of Recreation and Parks

and PAI and the Office of Budget and Finance, representatives of which were members of the workgroup. The Administration and the CAO have proposed Resolution 86-21 to amend the Local

Open Space Waiver Fee schedule in accordance with the workgroup's recommendations, which are being submitted for legislative approval.

Resolution 86-21 fully repeals the mix of zone-based and use-based fee structure enacted by Resolution 87-16 and replaces it with a tier fee structure. The tier classifications are set forth in Baltimore County Code, Section 32-6-108(i)(1)(iv), which states:

“The fee structure shall be based upon the project location and the type of development unit proposed and shall include separate rates per residential development unit for:

Tier 1: Projects outside the Urban Rural Demarcation Line (URDL);

Tier 2: Single family detached, semi-detached, and duplex dwelling and single family attached dwelling projects inside the URDL;

Tier 3: Commercial, town center core (C.T.) projects, residential, apartment, elevator (R.A.E.) projects, and transit-oriented development (T.O.D) projects inside the URDL;

Tier 4: Multi-family projects not in Tier 3 inside the URDL;

Tier 5: Student dormitories and affordable housing, and housing for the elderly as defined in the zoning regulations; and

Tier 6: The Downtown Towson District.”

Accordingly, Resolution 86-21 sets the following fees for each tier:

Tier 1: Residential outside of URDL - \$0.45 per square foot.

Tier 2: Single family detached, single family attached, duplex inside URDL - \$3.51 per square foot.

Tier 3: Commercial, C.T., R.A.E., T.O.D. inside URDL - \$5,000 per 25 units.

Tier 4: Multifamily not in Tier 3 - \$5.05 per square foot.

Tier 5(a): Dormitories and Purpose Built Student Housing; Elderly and Senior Housing - \$5,000 per 25 units.

Tier 5(b): Affordable Housing - \$0 for units 1-50; \$2,500 per 25 units above 50.

Tier 6: Downtown Towson District - \$2,000 per unit.

This resolution shall take effect from the date of its passage by the County Council, and the fees adopted in the resolution shall apply to any development plan filed after the effective date of the resolution.

MB-3 (Res. 87-21)**Council District(s) 4**

Mr. Jones (By Req.)

Department of Economic and Workforce Development

Economic Development Revenue Bonds – McDonogh School, Inc.

This resolution authorizes the issuance of Baltimore County revenue bonds in an amount not to exceed \$18,675,000 on behalf of McDonogh School, Incorporated located at 8600 McDonogh Road in Owings Mills. The bonds will be used to refinance existing Maryland Industrial Development Financing Authority Economic Development Revenue Bonds Series 2011A and to finance issuance costs related to the transaction. See Exhibit A.

Fiscal Summary

The County will earn an annual fee of 1/8 of 1% on the outstanding principal balance of the bonds. McDonogh School, Incorporated will pay all debt service related to the bonds. The County does not incur any liability nor pledge its full faith and credit for the bonds.

Analysis

McDonogh School, Incorporated is a private coeducational school for students in prekindergarten through 12th grade. The school occupies an area of approximately 800 acres in Owings Mills.

Proceeds of the bond sale will be used to refinance approximately \$17.3 million in outstanding Maryland Industrial Development Financing Authority Economic Development Revenue Bonds Series 2011A that were issued on behalf of McDonogh School, Incorporated by the State in October 2011 for improvements and renovations to campus buildings and infrastructure. Proceeds of the bond sale also will be used to pay expenses related to the sale and issuance of the bonds.

McDonogh School, Incorporated expects employment to remain constant (at 359 personnel) and enrollment to increase from 1,400 students to 1,409 students.

The County does not incur any liability by approving this resolution nor does it pledge its full faith and credit. McDonogh School, Incorporated will repay the principal and interest on the bonds. All costs incurred by, or on behalf of, the County in connection with the issuance, sale, delivery, and administration of the bonds, and the making of a loan, including the bond counsel fees, are the responsibility of McDonogh School, Incorporated. (Revenue bonds result in lower interest rates to the borrower since they are generally tax-exempt.)

The Department advised that the bonds, once issued, will be purchased by Stifel, Nicolaus & Company. The bonds will be entirely tax-exempt and are estimated to have a 3% or lower fixed interest rate with a 20-year term. The County will earn an annual fee of 1/8 of 1% on the outstanding principal balance of the bonds. Settlement is expected to take place on August 1, 2021. Bond counsel for this transaction is Miles & Stockbridge.

The Maryland Economic Development Revenue Bond Act (Annotated Code of Maryland, Economic Development Article, Title 12, Subtitle 1, Sections 12-101 to 12-118) allows counties to issue economic development revenue bonds for various purposes including encouraging the increase of industry, relieving unemployment, and promoting economic development. The bond proceeds may be used to finance or refinance the costs of acquiring a facility or to refund outstanding bonds. The proceeds may also be used to pay expenses related to the sale and issuance of the bonds, to fund reserves, and to pay interest with respect to the financing. The Act provides that a legislative body of any county may adopt a resolution to authorize the issuance of bonds by the county.

The Department advised that in accordance with U.S. Code Section 147(f)(2)(D), a public hearing is not required for this transaction because the bond issuance is a refunding of a previously authorized transaction for which a public hearing was held, and the County does not intend to extend the average maturity date of the bonds.

On November 18, 2019, the Council approved a resolution authorizing the issuance of up to \$16 million in County revenue bonds on behalf of McDonogh School, Incorporated to finance costs associated with the construction of a new middle school and to finance issuance costs related to the transaction.

Executive Summary

Name of Project: McDonogh School, Incorporated

Location: 8600 McDonogh Road, Owings Mills, MD 21117

Description: Refinance of 2011 Bonds

	<u>Existing</u>	<u>Proposed</u>
Acres:	800 (entire campus)	800 (entire campus)
Building Square Footage:	600,000 (entire campus)	600,000
Construction Start Date:	n/a	n/a
Estimated Completion Date:	n/a	n/a

	<u>Current year</u>	<u>Projected</u>
Employment:	Entire School – 69 (admin), 290 (faculty & ops.)	359
Student Enrollment:	Entire School – 1,400	Entire School- 1,409
Outstanding bond amount:	\$17,335,000 (McDonogh School) Series 2011 A Bonds	
Estimated amount of bonds to be issued:	\$18,675,000 (McDonogh School)	

Use of Bond Proceeds: Refinancing

Amount of Tax-Exempt Bonds: 100% Amount of Taxable bonds: None

Current interest rate: 4.5% (Outstanding Bonds)

Projected interest rate:

Variable or Fixed Rate:	Fixed
Term of the Bonds:	2041 maturity
Estimated Interest Rate:	3% or lower
Estimated Settlement Date:	August 2021

Bond Counsel: Miles & Stockbridge

Underwriter Counsel: Stevens & Lee

Borrower Counsel: DLA Piper

Underwriter: Stifel, Nicolas & Company

Lender: None

Prepared by: Department of Economic and Workforce Development

MB-5 (Grants)

Council District(s) All

Mr. Jones (By Req.)

Department of Economic and Workforce Development

FY 2022 Arts and Sciences Grants

The Administration is requesting approval of grants totaling \$3,227,630 to cultural and artistic nonprofit organizations, consistent with the adopted FY 2022 budget, as follows: 30 General Fund operating grants (\$2,523,250); 15 Tourism Program grants (\$434,880); Maryland State Arts Council grants for the SPLASH Summer Arts Program and various projects (\$235,000); and various project grants not eligible for State grant funding (\$34,500). Project grants are each less than \$9,500 and are awarded only to Baltimore County organizations. See Exhibit A for a listing of the organizations and the respective grant awards.

Fiscal Summary

Funding Source	Combined Grants Total	Notes
County ⁽¹⁾	\$ 2,992,630	⁽¹⁾ FY 2022 General Fund and Tourism Program Operating Budgets. ⁽²⁾ MD State Arts Council grant for the SPLASH Summer Arts Program and various projects.
State ⁽²⁾	235,000	
Federal	--	
Other	--	
Total	<u>\$ 3,227,630</u>	

Analysis

The Department advised that for FY 2022, the Commission on Arts and Sciences worked within the guidelines established by the County Executive to assure that all grantees provided value to Baltimore County residents and visitors. The Commission evaluated all grant applicants based on artistic merit; service to the community; multicultural outreach; soundness of business practice;

and level of service to Baltimore County residents, including partnerships with County-based organizations, creativity of outreach programs to the County, geographic diversity within the County, number of programs/activities that take place in the County, and extent and effectiveness of outreach to youth and artists/performers in the County. The proposed grants are consistent with adopted FY 2022 program budgets for Organization Contributions (Program 5901), Tourism (Program EDGRANT40), and Summer Program and Community Arts Development (Program OCGRANT21).

Monetary assistance for arts and sciences organizations in excess of \$5,000 is subject to approval by the County Council in accordance with Baltimore County Code, Section 10-1-108. Monetary assistance of \$5,000 or less is subject to the 14-day grant notification process. Although not required, the Department has included \$1,880 for one operating grant as part of the current request.

Executive Summary

Each year, in consultation with the Commission on Arts and Sciences, Baltimore County distributes arts, sciences, cultural, and tourism grants. The grants support organizations and institutions that provide invaluable arts and cultural opportunities for the benefit of Baltimore County residents and visitors.

The arts, sciences, cultural and tourism grants total \$3,227,630, of which \$2,713,250 are operating grants being submitted for approval for Fiscal Year 2022. The grantees range from large organizations such as the National Aquarium, Baltimore Center Stage, and the Baltimore Museum of Art, to smaller nonprofits such as Baltimore Classical Guitar Society, Everyman Theatre, and the Irvine Nature Center. A complete list of the proposed grants is listed below.

Arts, Sciences and Cultural Grants FY 2022 Operating Budget

Applicant	Amount
<u>Headquarters in Baltimore County</u>	
Baltimore Chamber Orchestra*	\$ 10,000
Baltimore County Arts Guild*	\$ 7,500
Contemporary Arts, Inc.*	\$ 10,000
Fire Museum of Maryland*	\$ 12,000
Gordon Center for Performing Arts*	\$ 62,500
Historical Society of Baltimore County*	\$ 16,000
Irvine Nature Center, Inc.*	\$ 50,000
MPT Foundation	\$ 30,000
Towson University Asian Art & Culture Center*	\$ 12,000
Glenn L. Martin Maryland Aviation Museum*	\$ 10,000
WTMD	\$ 60,000
UMBC Center for Art Design and Visual Culture	\$ 10,000
<u>Headquarters in Baltimore City, Howard or Harford County</u>	
American Visionary Art Museum	\$ 50,000
Baltimore & Ohio Railroad Museum	\$ 20,000
Baltimore Children's Museum dba Port Discovery	\$ 45,000
Baltimore Choral Arts Society	\$ 12,000
Baltimore Clayworks	\$ 10,000
Baltimore Classical Guitar Society	\$ 19,000
Baltimore Museum of Art	\$ 330,000
Baltimore Museum of Industry	\$ 20,000
Baltimore Symphony Orchestra	\$ 450,000
Baltimore Theatre Project	\$ 7,500
Center Stage Associates	\$ 150,000
Chesapeake Shakespeare Company	\$ 10,000
Creative Alliance at the Patterson	\$ 25,000

Everyman Theatre	\$ 40,000
Hippodrome Foundation, Inc.	\$ 50,000
Ladew Topiary Gardens	\$ 10,000
Living Classrooms Foundation	\$ 10,000
Make Studio Art	\$ 10,000
Maryland Academy of Sciences dba Maryland Science Center	\$ 115,250
Maryland Film Festival (Producers Club of MD)	\$ 25,000
Maryland Historical Society	\$ 25,000
Maryland Humanities Council dba Maryland Humanities	\$ 10,000
Maryland Zoological Society dba Maryland Zoo	\$ 400,000
Maryland State Boychoir	\$ 7,500
National Aquarium	\$ 176,000
Pride of Baltimore	\$ 40,000
Star Spangled Banner Flag House Museum	\$ 11,000
Walters Art Gallery dba Walters Art Museum	\$ 310,000
Young Audiences of Maryland/Arts for Learning	\$ 35,000
	\$ 2,713,250
Project Grants <\$9,500 (projects that are not eligible for State Grant funding)	\$ 34,500
Micro Capital Grants*	\$ 25,000
African-American Cultural Festival*	\$ 8,000
Patapsco Heritage Greenway, Inc.*	\$ 60,000
Property Insurance: Ballestone & Banneker*	\$ 1,880
Aquarium Endowment*	\$ 100,000
Hippodrome Endowment*	\$ 50,000
Splash Summer Arts Program and Project Grants <\$9,500 eligible to use MD State Arts Council Grant	\$ 235,000
	\$ 514,380
	\$ 3,227,630

*Tourism grants totaling \$434,880

Prepared by: Department of Economic and Workforce Development

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Administrative Officer

FROM: Edward P. Blades, Director
Office of Budget & Finance

SUBJECT: Public Recordation of Announcement
of Non-Competitive Awards Charter Sec. 902(f)

DATE: 5/13/21

**COUNCIL MEETING
DATE:** 7/06/21

Whenever a contract over \$25,000 is awarded by a process other than a formal competitive bid, a copy of the contract must be given to the County Council, and at the next legislative session-day following the award of the contract, the Secretary to the County Council shall formally announce to the Council the nature of the contract and the parties to the contract. The announcement shall be recorded in the minutes of the County Council, and shall be available for inspection by the public. In compliance with this procedure, information is attached concerning the following awards, which are to be forwarded to the County Council:

Award Document

PO 15435 Icor Technology, Inc. – ICOR Mini-Caliber Investigation Robots, Police/HDT

This Purchase Order is for the purchase of two (2) new Mini-Caliber ICOR Robots for the Hazardous Devices Team. HDT's single tactical robot is frequently deployed to aid in safe execution of search warrants, locate suspects and defuse hostage situations. Use of the robot ultimately reduces risk of injury to police officers, civilians, suspects and reduces potential liability. HDT Operators use the robot to defuse explosive devices without endangering the officer. Additionally, the robot can enter into tactical situations as a slow moving and less threatening intelligence-gathering tool. This puts time and space between law enforcement and potential threats. It allows for more effective negotiations and management of hostile encounters.

HDT operators have been trained on the unit and have extensive experience with the capability, reliability and maintenance of the robot. Purchasing additional robots from ICOR eliminates the need for operational and maintenance training. ICOR offers a 2 year warranty.

As part of this purchase, ICOR will upgrade the technology of our older, existing robot to newer digital technology, realizing an \$8,000 savings if purchased as a stand alone upgrade. All three devices will be utilizing the same digital technology.

Award Total: \$129,921.30
Award Date: 4/30/21

PO 15449 Renegade – Small Business Tourism Promotion Campaign

This Purchase Order is for the purchase of a Small Business Tourism Promotion Campaign. Baltimore County contracted with Renegade on a summer social media campaign in September and October of 2020. The vendor is well equipped to assist in the condensed timeframe in which the grant funding from the Maryland Department of Commerce must be spent. The entire campaign must be complete and take flight before June 30, 2021.

Baltimore County cannot execute the promotional campaign without increased capacity from a creative agency. If the service is unattainable, the grant funding will go unspent. This small business campaign is a major component of the tourism recovery strategy leading into the summer.

Award Total: \$156,028.00
Award Date: 5/7/21

PO 15418 Humat, Inc. – Humat Valves, Fire Dept.

This Purchase Order is the purchase of Humat Hydrant Valves from Humat, Inc. As detailed in the 902(f) Justification signed by Fire Chief Joanne Rund, we are purchasing these valves to replace existing valves that are at the end of their useful life (30 years). These valves are utilized by the Fire Department and carried on each fire engine to connect the large diameter hose to the fire hydrants and allows for the controlled flow of the water from the fire hydrant to the fire engines which supplies crews with water to extinguish fires.

Award Total: \$62,974.80
Award Date: 5/7/21

MA 4617 Atlantic Emergency Solutions, Inc. – Parts, Fire Apparatus and Medic, Pierce and Wheeled Coach

This Master Agreement provides for the purchase of replacement Pierce fire apparatus and Wheeled Coach ambulance parts through Atlantic Emergency Solutions, Inc. As detailed in the justification memo signed by D'Andrea Walker, Atlantic Emergency Solutions, Inc. is the sole source for Pierce fire apparatus and Wheeled Coach ambulance parts in the state of Maryland. The parts purchased through this Agreement will be utilized in the maintenance and repair of frontline medic units and fire apparatus assigned to the Fire Department.

Estimated Award Total: \$ 1,000,000.00
Award Date: 5/13/21

PO 15450 Labrepco, LLC – Freezer, Refrigerator, Data Loggers, Vaccine Equipment

This Purchase Order is for the purchase of Medical Vaccine Equipment through LABRepCo, LLC. As detailed in the Emergency Justification signed by Edward Blades, in response to the COVID-19 pandemic, Baltimore County has begun taking necessary action throughout all County agencies to combat the pandemic, which includes the emergency purchase of goods and services. HHS will use the Vaccine Refrigerator, freezer, power supply, black out panels, data loggers, and Pfizer transport racks procured through this order for storage and distribution of the vaccine to Baltimore County facilities.

Award Total: \$28,927.00
Award Date: 5/13/21

MA 4620 United Way of Central Maryland – Strategic Targeted Eviction Prevention Program 2.0

This Master Agreement is to provide financial assistance and housing stability services. As detailed in the Emergency Justification signed Edward Blades, in response to the COVID-19 pandemic, Baltimore County has begun taking necessary action throughout all County agencies to combat the pandemic, which includes the emergency purchase of goods and services. The vendor will provide services to any household in arrears that has accrued March 13, 2020 or later.

Estimated Award Total: \$ 45,000,000.00
Award Date: 5/13/21

PO 15494 Comcast Holdings Corporation dba Effectv, Comcast Cable Communications Management, LLC – Opioid Awareness Campaign, BBH/FY21

This Purchase Order is the purchase of advertising for the Department of Health and Human Services using grant funding through Comcast Holdings Corporation. As detailed in the Sole Source Justification signed by Gregory Branch, M.D, MBA, CPE, FACP, this vendor is the sole provider of advertising on cable TV networks for customers in Baltimore County and has the ability to reach all segments of the Baltimore County population in response to opioid awareness and to address the stigma related to substance use disorder (SUD) and encourage those to seek treatment and recovery resources.

Award Total: \$113,000.00
Award Date: 5/13/21

PO 15497 Rush Print Company, LLC dba Rush Tees & Signs – Masks, Wrapped Cloth, COVID-19

This Purchase Order is for the purchase of Cloth Masks from Rush Print Company, LLC. As detailed in the Emergency Justification Memo, signed by Edward Blades, in response to the COVID-19 pandemic, Baltimore County has begun taking necessary action throughout all County agencies to combat the pandemic, which include the emergency purchase of goods and services. The masks procured through this order will be distributed throughout the County to help prevent the spread of COVID-19.

Award Total: \$115,500.00
Award Date: 5/21/21

MA 4299 Rock Solid Technology, Inc. – Software, Citizen Relationship Management

This Master Agreement is for continued licenses, with maintenance and support to the existing Citizen Relationship Management platform, OneView and OneLink for 311. This platform provides Baltimore County 311 with call scripting; a written script to assist the agent in handling the contact, and a representative knowledge base for call center staff. It also assists the County with managing phone interactions with citizens while maintaining the existing software integrations currently in place. The original purchase of CitySourced product was purchased as a piggyback from a competitively bid agreement with Mesa, Arizona. CitySourced then integrated with RockSolid's platform. RockSolid is the manufacturer of this software and the sole provider for ongoing service and maintenance. This Master Agreement will cover the existing system for 5 years.

Not to Exceed: \$700,000.00
Award Date: 5/21/21

MA 4592 Towson Post 22, The American Legion, Inc. – Jury Selection Cases at American Legion

This Master Agreement is to provide a location to safely hold Jury Selection as required by Baltimore County Circuit Court. As detailed in the Emergency Justification signed by Edward Blades, in response to the COVID-19 pandemic, Baltimore County has begun taking necessary action throughout all County agencies to combat the pandemic, which includes the emergency purchase of goods and services. The vendor will provide facility equipment, technology and other services to allow Circuit Court to conduct business in accordance with coronavirus prevention guidelines.

Award Total: \$250,000.00
Award Date: 5/28/21

MA 4494-3 Maryland State Fair & AGR Society, Inc. – Maryland State Fairground Agreements

This Master Agreement is amended due to the continued need for the rental and services which include security, janitorial, and utilities provided by Maryland State Fair & AGR Society, Inc. As detailed in the Emergency Justification signed by Edward Blades, in response to the COVID-19 pandemic, Baltimore County has begun taking necessary action throughout all County agencies to combat the pandemic, which includes the emergency purchase of goods and services. Version 1 of the Master Agreement was previously reported to Council as a noncompetitive procurement with an estimated award total of \$1,500,000.00 to provide services through 12/31/2020 with an option to renew for one additional year. Version 2 was to exercise the renewal period. Version 3 was to incorporate the executed First Amendment and to increase the award total to \$10,000,000.00.

Additional Award Total: \$ 8,500,000.00

Award Date: 5/28/21

cc: J. Benjamin Jr.,
T. Bostwick
L. Smelkinson